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PATENT  
ATTORNEY DOCKET NO.: 046124-5283

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ikuo ARATA et al.	)	Confirmation No.: 6523
	)	
Application No.: 10/804,193	)	Group Art Unit: <i>Unassigned</i>
	)	
Filed: March 19, 2004	)	Examiner: <i>Unassigned</i>
	)	
For: SOLID IMMERSON LENS AND SAMPLE	)	
OBSERVATION METHOD USING IT	)	

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced Application.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form-1449.

Applicants advise the Examiner that (1) Arata *et al.* is a conference proceeding of ISTFA on November 2003, and the other ISTFA document (2) is a copy of slide data used in the ISTFA conference. Here, the disclosure date of (2) is just the date of the conference shown in (1). However, the written date in the slide data (2003/10/3), is the date of sending the data to the conference office and therefore is different from the above actual disclosure date.

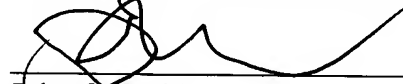
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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John G. Smith

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Dated: September 8, 2004

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# INFORMATION DISCLOSURE CITATION

Attorney Docket No.:

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Application No.:

10/804,193

(Use several sheets if necessary)

Applicant(s):

Ikuo ARATA et al.

PAGE 1 OF 1

PTO Form-1449

Filing Date: March 19, 2004

Group: Unassigned

## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date
	5,208,648	May 4, 1993	Batchelder et al.	356	237	March 11, 1991
	5,220,403	June 15, 1993	Batchelder et al.	356	345	September 30, 1992
	6,594,086 B1	July 15, 2003	Pakdaman et al.	359	656	January 16, 2002
	6,621,275 B2	September 16, 2003	Cotton et al.	324	537	November 28, 2001
	2003/0202255 A1	October 30, 2003	Pakdaman et al.	359	656	May 19, 2003
	2003/0210057 A1	November 13, 2003	Cotton et al.	324	501	June 9, 2003
	5,939,709	August 17, 1999	Ghislain et al.	250	216	June 19, 1997
	6,475,398 B2	November 5, 2002	Kitahata	216	2	September 25, 2001
	6,608,359 B2	August 19, 2003	Kitahata	257	432	August 29, 2002
	6,656,029 B2	December 2, 2003	Kitahata	451	384	August 29, 2002
	6,687,058 B1	February 3, 2004	Ippolito et al.	359	656	June 20, 2000
	5,004,307	April 2, 1991	Kino et al.	350	1.2	April 12, 1990
	5,125,750	June 30, 1992	Corle te al.	359	819	March 14, 1991
	6,441,359 B1	August 27, 2002	Cozier et al.	250	216	October 7, 1999

## FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Sub Class	Translation Yes No
JP 2002-189000 (corresponds to USP Nos. 6,475,398 B2, 6,608,359 B2 & 6,656,029 B2)	July 5, 2002	Japan			Abstract
JP 05-157701	June 25, 1993	Japan			Abstract
JP 11-003534	January 6, 1999	Japan			Abstract
JP 2001-023230	January 26, 2001	Japan			Abstract
EP 0 977 192 A1	February 2, 2000	Europe			
JP 7-18806 (corresponds to USP Nos. 5,208,648 & 5,220,403)	March 6, 1995	Japan			Abstract

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Arata et al., "Photoemission and OBIRCH Analysis with Solid Immersion Lens (SIL)", ISTFA, (2003), pp. 1-20.
"Conference Proceedings from the 29th International Symposium for Testing and Failure Analysis", ISTFA, (2003), pp. 325-329.

Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication.